



PRESS RELEASE

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For Information Contact Public Affairs

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NATIONAL GUARDSMAN INDICTED FOR ALIEN SMUGGLING

Tucson, Ariz. – A federal grand jury here returned a three-count indictment on March 2, 2005 against Adrian Adolfo Santacruz, age 29, of Nogales, Ariz., charging him with violating Title 8 U.S. Code, Sections 1324(a)(1)(A)(ii), 1324(a)(1)(B)(i), and Title 18 U.S. Code, Section 1001(a)(1) and (a)(2). The indictment alleges that on January 30, 2005, Santacruz transported two illegal aliens to the U.S. for the purpose of financial gain. Santacruz also made a materially false statement while wearing his National Guard uniform to a U.S. Border Patrol agent. Santacruz impersonated a U.S. Army recruiter and stated that he was on “duty” and had been ordered to take the two men to Phoenix. According to the complaint, Santacruz admitted he was to receive \$400 for transporting each illegal alien.

Santacruz was released from federal custody on February 2, 2005 and is scheduled for an arraignment on Thursday, March 10, 2005 at 11:00 a.m. in Tucson federal court.

An indictment is simply the method by which a person is charged with criminal activity and raises no inference of guilt. An individual is presumed innocent until competent evidence is presented to a jury that establishes guilt beyond a reasonable doubt.

A conviction for each count of Transportation of Illegal Aliens for Profit carries a maximum penalty of ten years in prison, a \$250,000 fine or both. Making a False Statement carries a maximum penalty of five years in prison, a \$250,000 fine or both.

The investigation preceding the indictment was conducted U.S. Customs and Border Protection. The prosecution is being handled by George Ferko, Assistant U.S. Attorney, District of Arizona, Tucson, Ariz.

CASE NUMBER: CR-05-0383-TUC

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